204694.00073 PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Examiner: W. Garber
VAUGHN KEENAN, ET AL.	Group Art Unit: 2612
Application No.: 09/876,230	
Filed: June 8, 2001	
For: CAMERA-BASED SYSTEM FOR CAPTURING IMAGES OF A TARGET SURFACE	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF INVENTORS UNDER 37 CFR 1.131

We, Vaughn E. Keenan, Wallace I. Kroeker, and Mark A. Fletcher, having post office addresses at 4216 - 53 Street N.E., Calgary, Alberta, T1Y 4B3, Canada; P.O. Box 26, Site 16, RR8, Calgary, Alberta, T2J 2T9, Canada; and Unit 66, Inglewood Point S.E., Calgary, Alberta, T2G 5K6, Canada, respectively, hereby declare and say as follows:

1. We are co-inventors of the subject matter disclosed and claimed in independent Claims 1, 23, 42, 51, 56, 62, 68, and 74 of the above-identified U.S. patent application. We have reviewed the subject application, the April 9, 2003 Official Action, U.S. Patent No. 6,530,664 to Vanderwerf et al., and the Amendment and Petition for Extension of Time being submitted concurrently herewith, in preparing this Declaration.

2. We conceived the subject matter of at least independent Claims 1, 23, 42, 51, 56, 62, 68, and 74 prior to the March 3, 1999 priority date of U.S. Patent No. 6,530,664 to Vanderwerf et al. Furthermore, we acted to diligently reduce to practice the subject matter of the invention recited in independent Claims 1, 23, 42, 51, 56, 62, 68, and 74, from the conception thereof up to at least March 3, 1999, in NAFTA member country Canada. Moreover, from a date prior to March 3, 1999, we diligently continued to work to refine the subject matter of the invention recited in independent Claims 1, 23, 42, 51, 56, 62, 68, and 74, and we aver that a constructive reduction to practice of that subject matter occurred at least as of the filing of U.S. Patent Application No. 09/876,230 on June 8, 2001.

3. Enclosed as Exhibits A-C are copies of invention disclosures and drawings illustrating the conceived invention recited in independent Claims 1, 23, 42, 51, 56, 62, 68, and 74. These invention disclosures and drawings were created prior to March 3, 1999, and establish that the invention was conceived prior to March 3, 1999. These invention disclosures and drawings also provide evidence that the invention was being diligently reduced to practice from the conception thereof up to at least March 3, 1999.

4. Enclosed as Exhibit D is a copy of an internal email setting forth project milestones for continued development of the invention recited in independent Claims 1, 23, 42, 51, 56, 62, 68, and 74. This document is evidence that from a date prior to March 3, 1999, up until the filing of U.S. Patent Application No. 09/876,230 on June 8, 2001, we diligently continued to work to refine the subject matter of the invention recited in Claims 1, 23, 42, 51, 56, 62, 68, and 74. We aver that a constructive reduction to practice of that subject matter occurred at least as of June 8, 2001.

5. Exhibits A-D show a camera-based system for capturing images of a target area including a generally horizontally extending boom assembly, said boom assembly being positioned above a target area;

at least one digital camera mounted on said boom assembly at a location spaced from the plane of said target area, said at least one digital camera being oriented so that the field of view thereof encompasses said target area; and

a controller in communication with said at least one digital camera, said controller receiving image data from said at least one digital camera and processing said image data to form a digital image of said target area.

(See Claim 1.)

6. Exhibits A-D show a camera-based system for capturing images of a target area including a boom assembly adapted to extend outwardly from a generally vertical surface;

at least one digital camera mounted on said boom assembly at a location spaced from said surface, said at least one digital camera being oriented so that the field of view thereof encompasses said target area; and

a controller in communication with said at least one digital camera, said controller conditioning said at least one digital camera to acquire an image of said target area, said image acquired by said at least one digital camera being conveyed to said controller and processed to form a digital image of said target area, said digital image being accessible to a user through a web client application.

(See Claim 23.)

7. Exhibits A-D show a camera-based system for capturing images of a target area including a board mounted on a wall and having a surface on which information is to be recorded;

a boom assembly positioned above said board and extending outwardly from said wall in a generally horizontal disposition;

at least one digital camera mounted on said boom assembly at a location spaced from said wall, said at least one digital camera being oriented so that the field of view thereof encompasses a target area of said surface; and

a controller in communication with said at least one digital camera and having Internet server capabilities, said controller being responsive to user input and conditioning said at least one digital camera to acquire an image of said target area, said image acquired by said at least one digital camera being conveyed to said controller and processed to form an electronic image of said target area, said

electronic image being published automatically to allow said electronic image to be accessed by a user through a web client application.

(See Claim 42.)

8. Exhibits A-D show an image publication and distribution method including the steps of:

acquiring an image of a target area that includes information recorded on said target area using an optical recording device, said optical recording device being mounted on a generally horizontal boom positioned above said target area; and

posting said image to a site in response to user input to allow said image to be accessed by a user through a client browser application.

(See Claim 51.)

9. Exhibits A-D show a system for capturing images of an area of interest including:

a boom extending outwardly from a wall surface and being positioned above an area to be imaged;

an optical recording device mounted on said boom at a location laterally spaced from said area, said optical recording device being aimed towards said area; and

a controller in communication with said optical recording device, said controller conditioning said optical recording device to acquire at least one image of said area in response to operator input.

(See Claim 56.)

10. Exhibits A-D show a system for capturing an image including:

an arm configured to extend outwardly from a generally vertical surface;

an imaging device mounted adjacent a distal end of said arm at a location laterally spaced from said surface, said imaging device being operable to capture an image of an area located below said arm; and

a controller in communication with said imaging device, said controller conditioning said imaging device to acquire an image of said area in response to operator input, said controller further posting said acquired image to a site accessible to a user through a web client application in response to operator input.

(See Claim 62.)

11. Exhibits A-D show a system for capturing images of a writing surface including:

a boom extending outwardly from a wall surface and being positioned above said writing surface to be imaged;

a digital camera device mounted on said boom at a location laterally spaced from said wall surface, said digital camera device being actuable to capture an image of said writing surface; and

a controller mounted on said wall surface and being in communication with said digital camera device, said controller conditioning said digital camera device to capture at least one image of said writing surface in response to operator input.

(See Claim 68.)

12. Exhibits A-D show an imaging system to capture an image of a write board mounted on a wall surface, said imaging system including:

a boom configured to extend outwardly from said wall surface above said write board;

an imaging device mounted on said boom at a location laterally spaced from said wall surface, said imaging device being actuable to capture an image of said write board; and

a controller configured to be mounted on said wall surface and being in communication with said imaging device, said controller conditioning said imaging device to capture an image of said write board in response to operator input.

(See Claim 74.)

13. Therefore, it is evident that the present application claims an invention that was conceived of and being diligently reduced to practice prior to March 3, 1999.

14. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

Declared and signed at Calgary, Alberta, Canada.

Vaughn E. Keenan — Date: July 29, 2003

Wallace I. Kroeker — Date: July 29, 2003

Mark A. Fletcher — Date: July 29, 2003